

REMARKS

Claims 1-18 are pending in this application. Claims 19-25 have been withdrawn as a result of a restriction requirement. Applicant reserves the right to file continuing applications directed to the subject matter of the withdrawn claims. As no new matter has been added by the amendments herein, Applicant respectfully requests entry of these amendments at this time.

Claims 1-5 were rejected under 35 U.S.C. 102 as being anticipated by Fallon (6,195,024 or "the '024 reference"). However, the '024 reference does not use compression and decompression techniques described and claimed in the present application, as explained below.

By way of example, the present invention could use five different mathematical algorithms that analyze the data stream at, for example, the binary code level to find the best compression ratio of that particular data stream. The algorithms will oscillate continuously until the compression and data bits are found for efficient compression. The '024 reference does not describe a similar method or apparatus, at least from what can be understood from the undersigned.

By another example, according to the invention, all compressed files are scanned first for key words and indexed for instant retrieval. The '024 does not appear to perform a similar function.

Also, according to the present invention, compression does reference and log time, date, and compression percentages after compression for the individual data file and up to all files archived. De-compressed files follow the compression values but also allow the user to send files to any hard drive and archive as well as any resource. These features are not apparent from reading the '024 reference.

Further, all files de-compressed are logged with time, date and secured for compliance and security. The present invention does not remove and or index repeating bit patterns but does skip over them for speed and efficiency.

In a broader sense, the present invention provides encryption through compression and also an encryption algorithm. Compression is done through rules and policies within the software for manual and or automatic compression

De-compression is done manually by the user - command but both compression and de-compression commands can come from many users at the same time and from many locations that are connected by a Local Area Network and or Wide Area Network.

The applicant has amended the independent claims to further highlight the features of the present invention. While it is believed that these amendments do not rise to the level of limiting structure, the wording focuses on the fact that the algorithms are all applied to the same data, so that each ratio is a ratio based on each different algorithm and the same data. The end result is a compression algorithm that is optimal for that particular data.

The examiner further rejected claims 10-15 as being obvious in view of the '024 reference. However, the compression techniques spelled out in claims 10-15 are not found in the '024, and therefore, the '024 reference fails to make a prima facia case of obviousness. It would not have been obvious to iteratively apply compression algorithms, and nothing in the reference suggests or encourages the person of ordinary skill in the art to try iterative solutions to achieve a more optimal compression algorithm.

Claims 6-9, and 16-18 were also rejected as being obvious in view of the '024 patent and the PKZIP command line reference. First of all, the PKZIP reference does not instruct one of ordinary skill in the art how to achieve an optimal compression algorithm for a given type or

quanta of data. All data has differentiating characteristics that make some algorithms more optimal, in terms of speed, e.g., than others. Applicant respectfully points out that the PKZIP reference is not a self sustaining reference, and would not be available to a person of ordinary skill in the art. It provides no instruction on how to apply it to an environment such as what is shown in the '024 reference.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicant invites the Examiner to contact the undersigned agent to discuss any remaining issues. No fees are believed to be due at this time. Should any fee be required, however, please charge such fees to Bingham McCutchen LLP Deposit Account No. 50-4047, Order No. 4251700002.

Respectfully submitted,
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